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8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2009-310

12 **MARSHA CHRISTINE MESHES, aka**  
13 **MARSHA CHRISTINE MARTIN, aka**  
**MARSHA CHRISTINE ZUBRICK**  
566 South Fair Oaks Boulevard, Apt. 166  
14 Pasadena, California 91105

**A C C U S A T I O N**

15 Registered Nursing License No. 248998

16 Respondent.

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18 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the  
21 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer  
22 Affairs.

23 **License History**

24 2. On or about November 30, 1974, the Board issued Registered Nursing  
25 License Number 248998 ("license") to Marsha Christine Meshes, also known as Marsha  
26 Christine Martin and Marsha Christine Zubrick ("Respondent"). The license will expire on  
27 March 31, 2010, unless renewed.

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## JURISDICTION

3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 118, subdivision (b), provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

## STATUTORY PROVISIONS

6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, . . .

(e) Making or giving any false statement or information in connection with the application for issuance of a certificate of license.

(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

7. Code section 2762 states, in pertinent part:

In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

1 (b) Use any controlled substance as defined in Division  
2 10 (commencing with Section 11000) of the Health and Safety  
3 Code, or any dangerous drug or dangerous device as defined in  
4 Section 4022, or alcoholic beverages, to an extent or in a manner  
5 dangerous or injurious to himself or herself, any other person, or  
6 the public or the extent that such use impairs his or her ability to  
7 conduct with safety to the public the practice authorized by his or  
8 her license.

9 (c) Be convicted of a criminal offense involving the  
10 prescription, consumption, or self-administration of any of the  
11 substances described in subdivisions (a) and (b) of this section, or  
12 the possession of, or falsification of a record pertaining to, the  
13 substances described in subdivision (a) of this section, in which  
14 event the record of the conviction is conclusive evidence thereof.

### 15 COST RECOVERY

16 8. Code section 125.3 provides, in pertinent part, that the Board may request  
17 the administrative law judge to direct a licensee found to have committed a violation or  
18 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation  
19 and enforcement of the case.

### 20 FIRST CAUSE FOR DISCIPLINE

#### 21 (Criminal Convictions)

22 9. Respondent is subject to disciplinary action under Code section 2761,  
23 subdivision (f), in that Respondent has been convicted of crimes substantially related to the  
24 functions, duties, and qualifications of a registered nurse as follows:

25 a. On or about June 25, 1996, in the Municipal Court of California, County  
26 of Los Angeles, in the case entitled, *People of the State of California v. Marsha Christine*  
27 *Zubrick* (Muni Ct. Van Nuys District, Los Angeles County, 1996, Case No. 6PN04175),  
28 Respondent was convicted on her plea of guilty of violating Penal Code section 476A,  
subdivision (a) (Insufficient Funds/Checks), a misdemeanor. The circumstances of the crime are  
that on or about June 3, 1996, Respondent attempted to pay for groceries at Vons Market with a  
personal check knowing that the account was closed.

b. On or about September 11, 2006, in the County Court in and for Manatee  
County, Florida, in the case entitled, *State of Florida v. Marsha Meshes* (Florida, Manatee  
County, 1996, Case No. 2006 CT 003518), Respondent was convicted on her plea of nolo

1 contendere of violating Florida Statute, section 316.193(3)(c)1 (Driving While Under the  
2 Influence with Property Damage). The circumstances of the crime are that on or about June 20,  
3 2006, Respondent was involved in a motor vehicle accident in the parking lot of Blake Memorial  
4 Hospital at a time when she was under the influence of alcoholic beverages.

5 c. On or about January 29, 2007, in the County Court in and for Manatee  
6 County, Florida, in the case entitled, *People of the State of California v. Marsha Meshes* (Florida,  
7 Manatee County, 2007, Case No. 2006 MM 004994), Respondent was convicted on her plea of  
8 guilty of violating Florida Statute, section 832.05B(X) (Obtaining Property in Return for  
9 Worthless Check), a first degree misdemeanor. The circumstances of the crime are that on or  
10 about April 24, 2006, Respondent did willingly and unlawfully and with the intent to defraud,  
11 make, draw, and deliver check(s) for the payment of money knowing at the time of such making,  
12 drawing, and delivering, that she had not sufficient funds in, and credit with, said bank for the  
13 payment.

14 d. On or about January 29, 2007, in the County Court in and for Manatee  
15 County, Florida, in the case entitled, *People of the State of California v. Marsha Meshes* (Florida,  
16 Manatee County, 2007, Case No. 2006 MM 003264), Respondent was convicted on her plea of  
17 guilty of violating Florida Statute, section 812.014(5a) (Petit Theft - Gas Drive Off), second  
18 misdemeanor. The circumstances of the crime are that on or about May 23, 2006, Respondent  
19 did unlawfully drive a motor vehicle so as to cause it to leave Hess Gas Station and pumped  
20 gasoline into the fuel tank without payment.

21 e. On or about March 22, 2007, in the County Court in and for Manatee  
22 County, Florida, in the case entitled, *People of the State of California v. Marsha Meshes aka*  
23 *Marcia Meshes* (Florida, Manatee County, 2007, Case Nos. 2006 CF 3680 and 2007 CF 367),  
24 Respondent was convicted on her plea of guilty of violating two counts of Florida Statute,  
25 section 832.05(4)(a) (Obtaining Property in Return for Worthless Check), first degree  
26 misdemeanors. The circumstances of the crime are that on or about April 24 and May 12, 2006,  
27 Respondent did willingly and unlawfully and with the intent to defraud, make, draw, and deliver

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1 check(s) for the payment of money knowing at the time of such making, drawing, and delivering,  
2 that she had not sufficient funds in, and credit with, said bank for the payment.

3 f. On or about May 9, 2007, in the County Court in and for Manatee County,  
4 Florida, in the case entitled, *People of the State of California v. Marsha Meshes* (Florida,  
5 Manatee County, 2007, Case No. 2006 CT 001211), Respondent was convicted on her plea of  
6 nolo contendere of violating City Ordinance No. 50-1 (Driving While License Suspended or  
7 Revoked).

8 **SECOND CAUSE FOR DISCIPLINE**

9 **(Criminal Conviction Involving the Consumption of Alcohol)**

10 10 Respondent is subject to disciplinary action under Code section 2761,  
11 subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762,  
12 subdivision (c), in that Respondent was convicted of a crime involving the consumption of an  
13 alcoholic beverage, as set forth in paragraph 9, subparagraph b, above.

14 **THIRD CAUSE FOR DISCIPLINE**

15 **(Use an Alcoholic Beverage to the Extent or  
16 in a Manner Dangerous or Injurious to Herself or Others)**

17 11 Respondent is subject to disciplinary action under Code section 2762,  
18 subdivision (a), on the grounds of unprofessional conduct, as defined in Code section 2762,  
19 subdivision (b), in that on or about June 20, 2006, Respondent consumed alcoholic beverages to  
20 an extent or in a manner dangerous or injurious to herself or others, as set forth paragraph 9,  
21 subparagraph b, above.

22 **FOURTH CAUSE FOR DISCIPLINE**

23 **(Making of Giving any False Statement or Information)**

24 12 Respondent is subject to disciplinary action under Code section 2762,  
25 subdivision (e), in that in her Application for Licensure by Endorsement, executed under penalty  
26 of perjury, dated December 11, 2007, Respondent checked the box "No" to the following  
27 question: "Have you ever been convicted of any offense other than minor traffic  
28 . . . violations. Convictions must be reported even if they have been adjudicated, dismissed or

expunged . . . .” In fact, Respondent has been convicted of criminal offenses, as set forth in paragraph 9, above.

PRAYER


WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nursing License Number 248998 issued to Marsha Christine Meshes, also known as Marsha Christine Martin and Marsha Christine Zubrick;

2. Ordering Marsha Christine Meshes, also known as Marsha Christine Martin and Marsha Christine Zubrick, to pay the Board the reasonable costs of the investigation and enforcement of this case, pursuant to Code section 125.3; and,

3. Taking such other and further action as deemed necessary and proper.

DATED: 6/5/09

  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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